

REMARKS

These Remarks are in reply to the Office Action mailed June 11, 2008. Claims 1-6, 9, 10, 13, 14, 18 and 21-31 were pending in the Application prior to the outstanding Office Action.

Claims 1-6, 9, 10, 13, 14, 18 and 21-31 remain for the Examiner's consideration. Reconsideration and withdrawal of the rejections are respectfully requested.

The Examiner stated:

“[t]he declaration filed on 02/27/08 under 37 CFR 1.131 has been considered but is ineffective to overcome the Wilson (Publication No. 2004/0189720 A1) reference.

The evidence submitted is insufficient to establish reduction to practice of the claimed invention in this country or a NAFTA or WTO member country prior to the effective date of the Wilson (Publication No. 2004/0189720 A1) reference reference (sic)”. (Final Office Action June 11, 2008, page 7, paragraphs 1 and 2)

The Applicant herein submits an amended declaration of Drs. Patrick Chiu, Qiong Liu and John Steven Boreczky together with “Exhibits A and B”. In the declaration, Drs. Chiu, Liu and Boreczky state that they are employees of FX Palo Alto Laboratories, and specialize in computer software research and development. (Chiu declaration, ¶2). Drs. Chiu, Liu and Boreczky are the inventors of U.S. patent application 10/636,044. (Chiu declaration, ¶3). Drs. Chiu, Liu and Boreczky designed and built a prototype of the invention on or before April 18, 2002. (Chiu declaration, ¶6). The prototype implemented a rear projector and touch screen plasma displays, works with laptops connected on the wireless network where a location sensing system can detect room location of a laptop, integrated a digital compass with a laptop, and included the command propagation feature. (Chiu declaration, ¶7-9). The “ModSlideShow1” and “ModSlideShow2” prototype that were reduced to practice included all elements of Claims 1, 5 and 13 of the U.S. patent application. (Chiu declaration, ¶10-13, ¶15-19 ¶21-24 and ¶33-45). Drs. Chiu, Liu and Boreczky identify “Exhibit A” a marked up copy of the invention disclosure that they signed between April 18, 2002 and April 20, 2002. (Chiu declaration, ¶25-27). “Exhibit A” is submitted as factual evidence of the correctness of the declaration. A screen

dump of the “ModSlideShow2” prototype with modules created on or before April 30, 2002 is shown in “Exhibit B”. (Chiu declaration, ¶47). Drs. Chiu, Liu and Boreczky declare that the “Exhibit B” shows that the ModSlideShow.java file was created on April 26, 2002 and the GuestRecognizer.class file was created on April 30, 2002. (Chiu declaration, 48-49). Drs. Chiu, Liu and Boreczky declare that the prototype embodiments of the invention were constructed at the Fuji Xerox Palo Alto Laboratories, and demonstrated in the conference room, in Palo Alto, California, United States of America. (Chiu declaration, ¶50-51). Further, in the declaration, Drs. Chiu, Liu and Boreczky declare under penalty of perjury that the prototype embodiments of the invention were demonstrated to an internal Fuji Xerox Palo Alto Laboratories research and development team on or before March 25, 2003. (Chiu declaration, ¶52).

As such, the inventors are able to establish actual reduction to practice of this invention in this country, prior to the effective date of the Wilson et al (U.S. Publication No. 2004/0189720 A1) reference. Therefore, the Wilson et al reference is not available to be considered as 102(e) prior art.

CLAIM REJECTIONS UNDER 35 U.S.C. § 102

Claims 1-6, 9, 10, 13, 14, 18 and 21-31 are rejected under 35 U.S.C. §102(e) as allegedly being anticipated by Wilson et al., (U.S. Publication No. 2004/0189720 A1).

As discussed above, Wilson et al does not have priority and therefore does not anticipate the Applicants invention.

In view of the above, Applicants respectfully request that the Examiner reconsider and withdraw the 102 rejections.

CONCLUSION

In light of the above, it is respectfully requested that all outstanding rejections be reconsidered and withdrawn. The Examiner is respectfully requested to telephone the undersigned if he can assist in any way in expediting issuance of a patent.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 06-1325 for any matter in connection with this reply, including any fee for extension of time, which may be required.

Respectfully submitted,

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